

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARY JANE BESTER,)	
)	CASE NO. C16-0730RSM
Plaintiff,)	
)	
v.)	ORDER OF DISMISSAL
)	
McDONALD’S RESTAURANTS,)	
MONEY MONOPOLY GAME,)	
)	
Defendant.)	

Pro Se Plaintiff, Mary Jane Bester, has previously been granted leave to proceed *in forma pauperis* in this matter. Dkt. #3. Her original Complaint was filed on May 25, 2016. Dkt. #4. Summons has not yet been issued.

In her initial Complaint, Ms. Bester alleged that she had recently won the Monopoly game promoted by McDonald’s restaurants. Dkt. #4. She stated that she won \$40 million, and when she called the CEO of McDonald’s to claim her prize, she was told to go online to claim her award. *Id.* However, she stated, “I do not do online” because too many people “are losing their minds, everywhere.” *Id.* at 2. She further stated that her family in Wisconsin will need to be relocated to Washington to assist her with her case, and asserts they are being harmed. *Id.* As a result, Ms. Bester requested the following relief: 1) that she be paid all of her money at the same time; 2) that she be paid “\$400 gazillion dollars” daily, at 2:00 p.m. each day; 3) that she

1 be provided with the U.S. Treasury printing plates and materials; and 4) that she be given her
2 own live audience talk show with all royalties to be paid to her. Dkt. #4 at 4.

3 After reviewing that Complaint, the Court directed Plaintiff to file an Amended
4 Complaint to remedy certain deficiencies, specifically to identify what laws or statutes she
5 believes are being violated, which of her constitutional rights may have been abridged, or how
6 this Court has the authority to grant the type of relief she is seeking. Dkt. #5.

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8 Plaintiff filed her Amended Complaint on June 16, 2016. Dkt. #6. Plaintiff now
9 identifies 18 U.S.C. § § 1301 and 1302 and 19 U.S.C. § 1305 as the apparent bases of her
10 claims. *Id.* She also states that she has a constitutional right to hand in her winning ticket to
11 McDonald's in person, to be verified in person by herself and the McDonald's employees, and
12 to speak to the CEO. *Id.* at 2.

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14 Section 1301 of the United States Code, Title 18, deals with criminal conduct associated
15 with importing or transporting lottery tickets and the potential consequences for engaging in the
16 prohibited conduct. Section 1302 of the same Title pertains to criminal conduct associated with
17 mailing lottery tickets and the potential consequences for engaging in such conduct. If the
18 Court understands Plaintiff correctly, she believes these statutes require her to present her
19 McDonald's winning ticket in person to McDonald's. However, these statutes do not address
20 entering a number through the Internet for verification, and therefore, do not appear to be
21 applicable to Plaintiff's Complaint.
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24 Likewise, section 1305 of the United States Code, Title 19, pertains to the importing of
25 "immoral articles," including lottery tickets. Title 19 applies to customs duties, and Plaintiff
26 has specifically cited to the Tariff Act of 1930. This statute does not address entering a game
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1 ticket number through the Internet for verification, and therefore, is not applicable to the claims
2 raised in Plaintiff's Complaint.

3 Accordingly, Plaintiff has failed to remedy the deficiencies previously identified by the
4 Court. It does not appear that this Court has jurisdiction over this matter, and it must be
5 DISMISSED. Therefore, Plaintiff's Amended Complaint is DISMISSED in its entirety and
6 this matter is now CLOSED.
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8 The Clerk shall send a copy of this Order to Plaintiff at 300 Lenora St., #263, Seattle,
9 WA 98121.

10 DATED this 14th day of July, 2016.
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15 RICARDO S. MARTINEZ
16 CHIEF UNITED STATES DISTRICT JUDGE
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